



Docket: 2890 (203-3438)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT(S): Sartor et al. EXAMINER: Michael F. Peffley  
SERIAL NO.: 10/781,084 GROUP: Art Unit 3762  
FILED: February 17, 2004 DATED: May 19, 2006  
TITLE: MOTION DETECTOR FOR  
CONTROLLING ELECTROSURGICAL  
OUTPUT

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Sir:

Pursuant to Applicant(s) duty of disclosure, the information listed in the attached form PTO/SB/08A is brought to the attention of the Examiner. Copies of the U.S. patent documents are not provided in accordance with the waiver of that requirement under 37 C.F.R. §1.98.

The citation of the listed items is not a representation that they constitute a complete or exhaustive listing of the relevant art or that the references are prior art. The items listed are submitted in good faith, but are not intended to substitute for the Examiner's search. It is hoped, however, that in addition to apprising the Examiner of these particular items, they will assist in identifying fields of search and in making as full and complete a search as possible.

05/23/2006 CNEGAI 00000041 210550 10781084  
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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Dated: May 19, 2006

  
Nicole Rispone

The filing of this information disclosure statement is not an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

☐ This information disclosure statement is being filed within three (3) months of the filing date of this application.

☐ This information disclosure statement is being filed within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application.

☐ To the best of Applicant(s) knowledge, this information disclosure statement is being filed before the date of mailing of a first Office Action on the merits in connection with this case.

☐ Enclosed herewith is a certificate under 37 C.F.R. §1.97(e)(1).

☐ Enclosed herewith is a petition under 37 C.F.R. §1.97(d)(2).

☐ Enclosed by check is the petition fee of \$130.00. (37 C.F.R. §1.17(i)(1))

☐ Please charge the \$130.00 petition fee to Deposit Account No. **21-0550**.

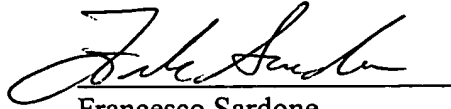
☐ Enclosed by check is the \$180.00 fee required by 37 C.F.R. §1.17(p).

☒ Please charge the \$180.00 fee required by 37 C.F.R. §1.17(p) to Deposit Account No. **21-0550**.

☒ Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. §1.16 and/or 1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account **21-0550**. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend the time as required and charge Deposit Account No. **21-0550** therefor.

The claims of the application as now presented are believed to patentably distinguish over the prior art and to be in condition for allowance. Early and favorable consideration of the case is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Francesco Sardone', is written over a horizontal line.

Francesco Sardone  
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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 1

**Complete if Known**

Application Number	10/781,084
Filing Date	February 17, 2004
First Named Inventor	Sartor et al.
Art Unit	3762
Examiner Name	N/Y/K
Attorney Docket Number	2890 (203-3438)

**U.S. PATENT DOCUMENTS WITHOUT REFERENCES**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		3,219,029	11-23-1965	RICHARDS et al.	
		4,606,342	08-19-1986	ZAMBA et al.	
		5,788,688 A	08-04-1988	BAUER, et al.	
		2004/124964 A1	07-01-2004	WANG YULUN et al.	
		2004/143677 A1	07-22-2004	NOVAK PAVEL	
		2004/172011 A1	09-02-2004	WANG YULUN et al.	
		2005/149001 A1	07-07-2005	UCHIKUBO AKINOBU et al.	

**FOREIGN PATENT DOCUMENTS WITH REFERENCES**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
		EP 0 186 369 A	07-02-1986	Valleylab, Inc.		
		DE 24 29 021 A1	01-08-1976	Erbe Elektromedizin KG		Y

**OTHER DOCUMENTS**

Examiner Initials*	Cite No.1		T <sup>2</sup>
		Copy of ISR from EP 05019882.9 dated February 16, 2006.	
		Copy of ISR from EP 05021777.7 dated February 23, 2006.	

Examiner

Date Considered

Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.